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PATENT  
ATTORNEY DOCUMENT NO. 044921-5029-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

William **MUNGER** *et al.*

Application No.: 09/960,706

Filed: September 24, 2001

For: **IDENTIFYING DRUGS FOR AND  
DIAGNOSIS OF BENIGN PROSTATIC  
HYPERPLASIA USING GENE  
EXPRESSION PROFILES**

Group Art Unit: 1645

Examiner: Unassigned

#6  
Plunkett  
7/28/02

Commissioner of Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed more than three months after the filing date of this application but before the mailing date of either a first Office Action on the merits. Accordingly, no fee is believed to be due with this filing. Pursuant to 37 C.F.R. § 1.97(d)(1), the references are not included with this submission, having been provided in prior application 09/873,319.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the above-listed documents are material or constitute "prior art." If it should be determined that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the application and the references therein, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 11, 2002

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	Attorney Docket No. 44921-5029-01	Application No. 09/960,706
	Applicants: William MUNGER <i>et al.</i>	<b>PAGE 1 of 1</b>
<b>PTO Form 1449</b>	Filing Date: September 24, 2001	Group Art Unit: Unassigned

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Sub Class	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Brinkman, U. <i>et al.</i> <b>PAGE-1 AN X CHROMOSOME-LINKED GAGE-LIKE GENE THAT IS EXPRESSED IN NORMAL AND NEOPLASTIC PROSTATE, TESTIS, AND UTERUS</b> (1998) <i>Proc. Natl. Acad. Sci. (USA)</i> 96:20767-20762
	Brinkman, U. <i>et al.</i> <b>NOVEL GENES IN THE PAGE AND GAGE FAMILY OF TUMOR ANTIGENS FOUND BY HOMOLOGY WALKING IN THE dbEST DATABASE.</b> (1999) <i>CANCER RES.</i> 59, 1445-148.
	Isomura, M. <i>et al.</i> <b>ISOLATION AND MAPPING OF RAB2L, A HUMAN CDNA THAT ENCODES A PROTEIN HOMOLOGOUS TO RALGDS.</b> (1996) <i>Cyogenet. Cell Genet.</i> 74, 263-265.
	Jacob, K. <i>et al.</i> <b>OSTEONECTIN PROMOTES PROSTATE CANCER CELL MIGRATION AND INVASION: A POSSIBLE MECHANISM FOR METASTASIS TO BONE</b> (1999) <i>Cancer Res.</i> 59:4453-4457
	Nollet, F. <i>et al.</i> <b>PHYLOGENETIC ANALYSIS OF THE CADHERIN SUPERFAMILY ALLOWS IDENTIFIDATION OF SIX MAJOR SUBFAMILIES BESIDES SEVERAL SOLITARY MEMBERS</b> (2000) <i>J. Mol. Bio.</i> 299, 51-572
	Seto, M.H. <i>et al.</i> <b>PRO FOLD ANALYSIS OF THE B30.2-LIKE DOMAIN</b> (1999) <i>PROTEINS</i> 35:235-49
	Thomas, R. <i>et al.</i> <b>DIFFERENTIAL EXPRESISON OF OSTEONECTIN/SPARC DURING HUMAN PROSTATE CANCER PROGRESSION</b> (2000) <i>Clin. Cancer Res.</i> 6:1140-1149

Examiner	Date Considered
Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.